Remarks

The above-noted Official Action and the references cited therein have been received and carefully studied.

Entry of the foregoing amendment and reconsideration of the application in view of the above amendment and the following remarks is hereby requested.

Claims 25-26, 28-31, 37, 38, 40, 42, 44, 47-50, and 52 are currently in this case.

Claims 27, 32-36, 39, 41, 43, 45, and 46 are cancelled herein. Claim 51 had been cancelled previously.

Claims 25, 28-31, 37-38, 40, 42, 44, and 47 are currently amended herein.

Claims 26 and 48-50 remain in the case as originally filed.

Claim 52 is newly added herein. New claim 52 is added to the case to more completely cover certain aspects of the Applicant's currently claimed invention.

The claims in the case which are independent claims are claims 25 and 52.

Original claims that have not been amended are ultimately dependent upon currently amended independent claim 25.

Now turning to page 2 of the Official Action dated 04/19/2005, in the section "Claim Objections", the Examiner objected to Claim 32. Claim 32 is cancelled herein, and this issue is moot.

On pages 2 and 3 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 112", the Examiner rejected original claims 29-30, 32, 34, and 37-47 under 35 USC § 112 for indefiniteness.

More specifically, claims 29-30, 32, and 37-46 were rejected because of the phrase "said static coating". Of the claims rejected because of the phrase "said static coating", claims 29, 30, 37, 38, 40, 42, and 44 are currently in the case, and these claims no longer contain "static coating" and now contain the language --said static layer--. In view of the above, it is respectfully requested that the Examiner's rejections based on 35 USC § 112 because of the phrase "said static coating" be removed.

Further with respect to rejections based on 35 USC § 112, claims 38-46 were rejected because of the phrase "said macromolecules". The Applicant's representative would like to point out that claim 37 recites "macromolecules". Now, with respect to the noncancelled and currently amended claims 38, 40, 42, and 44, these claims now depend from claim 37, not claim 25. In view of the above, it is respectfully requested that the Examiner's rejections based on 35 USC § 112 because of the phrase "said macromolecules" be removed.

On page 3 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 102", the

Examiner rejected the Applicants original claims under 35 USC § 102 as being anticipated by the prior art.

On page 6 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 103", the Examiner rejected the Applicants original claims under 35 USC § 103 as being obvious in view of the prior art.

However, in the present AMENDMENT, it is respectfully asserted by the Applicant's representative that the grounds for the Examiner's rejection of the Applicant's originally claimed invention are now inapplicable in view of the Applicant's currently amended claimed invention. By the discussion hereinbelow, this assertion of the Applicant's representative is fully supported.

In this respect, herein, the Applicant's representative points out key features and distinctions between (a) the prior art that was applied by the Examiner in the rejection of the Applicant's originally claimed invention and (b) the Applicant's currently amended claimed invention.

More specifically, on page 2 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 102", the Examiner rejected the Applicants original claims 25-27, 29-30, 37, 46-47, and 49-50 under 35 USC § 102 as being anticipated by Gross et al (5,356,632).

Also, on page 5 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 102", the

Examiner rejected the Applicants original claims 25, 29, 31-34, 37, 40-43, 46-47, and 49-50 under 35 USC § 102 as being anticipated by Wang (6,514,762).

In the section of the Official Action named "Claim Rejections -- 35 USC § 103", on page 6 of the Official Action, the Examiner rejected the Applicants original claims 25-30, 37, and 46-50 under 35 USC § 103 as being unpatentable over Gross et al (5,356,632) in view of Hofmann (6,009,347).

Also, on page 9 of the Official Action, in the section of the Official Action named "Claim Rejections -- 35 USC § 103", the Examiner rejected the Applicants original claims 25-27, 29-34, 37, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Gross et al (5,356,632) in view of Meserol (6,090,617).

Also, on page 10 of the Official Action, the Examiner rejected originally filed claims 25-27, 29-30, 35, 37, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Gross et al (5,356,632) in view of Vadgama et al (WO 92/05434).

Also, on page 11 of the Official Action, the Examiner rejected originally filed claims 25-27, 29-30, 36-37, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Gross et al (5,356,632) in view of Hoffmann et al (5,902,329).

Also, on page 12 of the Official Action, the Examiner rejected originally filed claims 25-27, 29-30, 37-43, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Gross et al

(5,356,632) in view of Zewert et al (5,749,847) and/or Widera et al (Journal of Immunology, 2000, 164:4635-4640).

Also, on page 13 of the Official Action, the Examiner rejected originally filed claims 25-27, 29-30, 37, 44-47, and 49-50 under 35 USC § 103 as being unpatentable over Gross et al (5,356,632) in view of Lerner (WO 97/18855).

Also, on page 14 of the Official Action, the Examiner rejected originally filed claims 25-27, 29-34, 37, 40-43, and 49-50 under 35 USC § 103 as being unpatentable over Wang (6,514,762) in view of Gross et al (5,356,632).

Also, on page 16 of the Official Action, the Examiner rejected originally filed claims 25-34, 37, 40-43, and 46-50 under 35 USC § 103 as being unpatentable over Wang (6,514,762) in view of Gross et al (5,356,632) and further in view of Hofmann (6,009,347).

Also, on page 17 of the Official Action, the Examiner rejected originally filed claims 25, 29, 31-35, 37, 40-43, and 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Wang (6,514,762) in view of Vadgama et al (WO 92/05434).

Also, on page 18 of the Official Action, the Examiner rejected originally filed claims 25, 29, 31-35, 37, 40-43, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Wang (6,514,762) in view of Hoffmann et al (5,902,329).

Also, on page 20 of the Official Action, the Examiner rejected originally filed claims 25, 29, 31-34, 37-43, 46-47, and 49-50 under 35 USC § 103 as being unpatentable over Wang

(6,514,762) in view of Zewert et al (5,749,847) and/or Widera et al (Journal of Immunology).

Also, on page 22 of the Official Action, the Examiner rejected originally filed claims 25, 29, 31-34, 37, 40-47, and 49-50 under 35 USC § 103 as being unpatentable over Wang (6,514,762) in view of Lerner (WO 97/18855).

From the rejections applied by the Examiner, and from other disclosures of the Examiner, here is a list of the U. S. patents and publications that the Examiner cited. The references are listed in order of mention by the Examiner:

5,356,632	Gross et al
6,514,762	Wang
6,009,347	Hofmann
6,090,617	Meserol
WO 92/05434	Vadgama et al
5,902,329	Hoffmann et al
5,749,847	Zewert et al
Journal of Immunology	Widera et al
WO 97/18855	Lerner

Hereinbelow are comments of the Applicant's representative relating to the references cited by the Examiner along with comments distinguishing the references from the Applicant's currently amended claimed invention.

Gross et al (5,356,632)

Gross et al (5,356,632) disclose a transdermal drug delivery device for application to a subject's skin. More specifically, a base member of insulating material is provided. An anode electrode and a cathode electrode are supported on the base

member in spaced relation to each other to define a gap therebetween. An insulating layer includes a gel containing a liquid drug to be delivered covering the gap and in contact with and covering both of said electrodes. Means are provided for connecting the electrodes to a voltage source. A liquid permeable sheet covers the gel containing the liquid to be delivered such that neither of said electrodes comes into contact with the subject's skin when applied thereto.

With Gross et al (5,356,632), a liquid drug is required. While it is true that a gel is a liquid suspended in a solid as the Examiner points out, it is the liquid portion that is critical to the Gross et al (5,356,632) patent. Gross uses electrical current to move material from a gel to skin. For example the specification states: "It has been found that the novel device causes the gel to release the liquid drug at a rate having a very close linear relation to the magnitude of the current supplied, i.e., the density of the current flowing through the gel. Thus, if the current is doubled, the rate of release of the liquid drug from the gel is approximately doubled. Therefore close linear control may be provided of the drug delivery rate."

That process, described in Gross et al (5,356,632) is, by definition, electrophoresis. The liquid phase is critical for the electrophoresis process to function.

In sharp contrast, with the Applicant's currently claimed invention, a <u>solid coating</u> alone can be employed. In the

Applicant's specification, there is the following statement on page 14, lines 1-7:

> "The static layer of electrode releasable macromolecules on the electrodes (e. g. a tissue treating agent, a polynucleotide vaccine, or a protein-based vaccine, among others) can be in a variety of forms prior to using the electrodes on a patient. More specifically, the static layer of macromolecules can be in a solid form, coating the solid electrodes."

Although the Applicant's currently claimed invention can employ liquid or gel releasable macromolecules, the Applicant's currently claimed invention does not require such gel or liquid as are required by Gross et al (5,356,632). The Applicant's currently claimed invention can use a solid releasable macromolecule material which clearly cannot be used by Gross et al (5,356,632).

Additionally, the Applicant's currently claimed invention does not require electrical current to release the material from the electrode. Here is a quotation from the Applicant's specification on page 9, lines 4-15:

> "On the other hand, when the static layer of electrode releasable molecules does include solvent separable material, such as solvent separable solid material, then the static layer of electrode releasable molecules includes both solvent separable solid material and electric field separable molecules. In such a case, a solvent dissolves the solvent separable material thereby releasing the electric field separable molecules from the electrode, and the electric field separable molecules are delivered into the biological cells by the applied electric fields. The solvent includes body fluids which are present in body tissues."

Clearly, with the Applicant's currently claimed invention, applied electric fields are for electroporation to get material into cells after they are released from the electrode. This is a distinctly separate process than the electrophoresis use in the Gross patent to move material away from the liquid containing gel.

In addition, Gross et al (5,356,632) is just for use on the surface of the skin with transdermal action. Nevertheless, the Examiner asserts in the Official Action, on page 8, the last two paragraphs, that it would be obvious to use needle electrodes in the Gross drug delivery device. Clearly this assertion by the Examiner in erroneous. For example, in Gross et al (5,356,632), at column 1, lines 31-34, there is a teaching that mere contact of the skin with the electrodes is to be avoided. Even in claim 1 of Gross et al (5,356,632), there is a recitation that neither electrode actually touches the skin.

Clearly with Gross et al (5,356,632), there is a teaching away of any electrode "penetration into tissues" and there is a teaching away of "releasable molecules to be delivered into biological cells in the penetrated tissues" as provided by the Applicant's currently claimed invention.

More specifically, in the Applicant's specification, there is support for the language in the Applicant's currently claimed invention relating to "penetration into tissues" and "biological cells in penetrated tissues". More specifically, there is a

disclosure in the Applicant's specification at page 12, lines 3-11 as follows:

"With another variation of the method of the invention, the molecules can be delivered to a tissue which is deeply located under healthy tissue. With such a variation of the method of the invention, the electrodes are long enough to penetrate through the healthy tissue and into the tumor. The fixed electrode surface portions of the electrodes that penetrate the tumor are coated with electrode releasable material that includes a deep tumor tissue treating agent." [emphasis added]

For the reasons stated above, the Applicant's currently claimed invention clearly avoids Gross et al (5,356,632), and Gross et al (5,356,632) should not be used as grounds for the rejection of the Applicant's currently claimed invention.

Wang (6,514,762)

Before discussing the disclosures in Wang (6,514,762) an important consideration is the removal of Wang (6,514,762) as a prior art reference with respect to the Applicant's claimed invention.

More specifically, Wang (6,514,762) has a priority date of April 23, 1999, which was a filing date of a U. S. provisional patent application.

In sharp contrast, the Applicant's invention has a United States Provisional Application Serial No. 60/117,755, filed 28 January 1999. Clearly, the filing date of 28 January 1999 of the Applicant's invention is before the priority date of April 23, 1999 of Wang (6,514,762), and Wang (6,514,762) should not be applied as a reference for any purpose against the Applicant's claimed invention.

In support of the removal of Wang (6,514,762) from the patent prosecution in the present case, a DECLARATION UNDER RULE 1.131 is being filed concurrently herewith.

Even though Wang (6,514,762) should be removed from the prosecution of the present case, a few comments with respect to Wang (6,514,762) are of interest.

The Applicant's currently claimed invention includes new claim 52 which states:

> "Claim 52. (New) An electrode for penetration into tissues which includes a coating having at least one static layer of solvent releasable molecules to be delivered into biological cells in the penetrated tissues by an applied electric field." [emphasis added]

Clearly, Wang (6,514,762) does not provide for "solvent releasable molecules". More specifically, the DNA disclosed in Wang (6,514,762) is not solvent releasable from the Wang electrode. The Wang device requires adsorption of the nucleotides to the metal in an intimate manner that requires electrical current to release the nucleotides from the metal.

The nucleotides are adsorbed sufficiently on the Wang electrode so that they cannot be removed with a solvent such as water. For instance, Wang (6,514,762) states at Column 6, line 59-61: "Following introduction of the nucleotides, the electrode may be rinsed using water, and allowed to dry. The result is a surface-confined nucleotide layer on the electrode." Clearly this means that even when water is applied to the Wang electrode, the material does not come off of the electrode in the absence of an applied current. Clearly, the surface-confined nucleotide

layer on the Wang electrode does not include "solvent releasable molecules" as provided by the Applicant's currently claimed invention.

Also, the Wang device depends upon a controlled release of nucleotide from the Wang electrode surface such that, at any one time, only a portion of the nucleotide is released from the surface. This is stated clearly in claims 1 and 21 of Wang (6,514,762). In sharp contrast, with the Applicant's currently claimed invention, there is no requirement of timed release. More specifically, with the Applicant's currently claimed invention, the electrode is intended to deliver a pre-measured dose, not a timed release dose. For example, on page 9, lines 27-34 of the Applicant's specification, there is the following statement:

> "A number of benefits can be realized by employing the static coated electrodes of the present invention. For example, a pre-measured quantity of a static layer of electrode releasable molecules can be retained on the fixed electrode surfaces. Such a pre-measured quantity of the static layer of electrode releasable molecules can serve as a pre-measured dose of material to be delivered to the biological cells."

In view of the above, Wang (6,514,762) should not be used either alone or in combination with Gross et al (5,356,632) or any other reference in the rejection of the Applicant's currently claimed invention.

Hofmann (6,009,347)

Hofmann (6,009,347) dislcoses needle electrodes that are penetrated into a person's skin. Yet, the Hofmann (6,009,347)

electrodes do not have the Applicant's currently claimed invention of "An electrode for penetration into tissues which includes a coating having at least one static layer of releasable molecules to be delivered into biological cells in the penetrated tissues by an applied electric field.

Moreover, as stated herein above, Gross et al (5,356,632) clearly teaches away from any penetration into the skin. Therefore, it is not appropriate to combine Gross et al (5,356,632), which clearly teaches away from skin penetration, with Hofmann (6,009,347) which requires skin penetration.

Therefore, neither Gross et al (5,356,632) nor Hofmann (6,009,347), either alone or in combination, should be used in the rejection of the Applicant's currently claimed invention.

Meserol (6,090,617)

Meserol (6,090,617) is irrelevant to the Applicant's currently claimed invention because the coating is Meserol (6,090,617) is not releasable and is not biologically active. The coating is merely to protect the electrodes from being corroded.

The Meserol invention as stated by the Examiner discloses a metal nitride coating for use in a saline solution. The metal nitride coating is neither solvent soluble or electrically soluble, and, therefore the nitride coating could not be delivered by either the Gross et al (5,356,632) device or the Applicant's currently claimed invention. It would not make sense

to do so since it is a protective coating. If the protective coating is removed, the protection is removed. In fact the Meserol patent specification states the purpose of that invention at column 1, lines 21-33 thereof, as follows:

> "The present invention provides that an electrode surface may be protected from wear, such as erosion and pitting, due to internally generated electrical signals occurring in a saline solution. In particular, a pulsed electrical signal such as generated by the electroporation device described herein, normally causes accelerated erosion and inoperability of the electrodes, and furthermore contaminates the solution and cells with metal ions. The present invention provides electrodes that can be subjected to frequent pulses of electrical charge in a saline solution, as in an electroporation apparatus, and have substantially increased useful terms over conventional electrodes, without contamination of the products of interest."

Clearly, the Meserol patent seeks the opposite effect of the Applicant's currently claimed invention. Meserol seeks protection of an electrode surface from corrosion rather than the delivery of material using the electrode surface as is the purpose of the Applicant's currently claimed invention.

Therefore, Meserol (6,090,617), either alone or in combination with any other reference, should not be used in the rejection of the Applicant's currently claimed invention.

Vadgama et al (WO 92/05434)

Vadgama et al (WO 92/05434) disclose a device used for diagnostics. The Vadgama et al (WO 92/05434) device does not deliver anything to biological cells. The enzymes in the liposomes are not released from the electrode. The liposomes containing the enzymes stay attached to the electodes while the

diagnostic test takes place. A chemical reaction occurs in the electrodes. The product of the chemical reaction is in solution. But, the materials that coat the electodes are not released into solution.

Therefore, Vadgama et al (WO 92/05434), either alone or in combination with any other reference, should not be used in the rejection of the Applicant's currently claimed invention.

Hoffmann et al (5,902,329)

Hoffmann et al (5,902,329) disclose a catheter having electrodes, and the catheter is inserted into a blood vessel. The primary function of the Hoffmann et al (5,902,329) device is to provide heart muscle stimulation by electric current flow. The electrodes need not have a coating of a drug. However, if a drug is present, the drug molecules are released from the electrode, but the entrance of the released drug molecules into biological cells is not caused by the electric current flow that is applied to provide heart muscle stimulation. This feature of Hoffmann et al (5,902,329) is in sharp contrast with the Applicant's currently claimed invention wherein the entrance of released molecules into biological cells is caused by the presence of an electric field.

With Hoffmann et al (5,902,329), the optional electrode coating can be a steroid to be delivered into cells. The optional entrance of the steroid into biological cells is not caused by any electrical energy that is used for stimulating

heart muscle. Stated somewhat differently, with Hoffmann et al (5,902,329), any entrance of a drug into biological cells and any application of electrical impulses to stimulate heart muscle are independent of each other. The heart-muscle-stimulating electrical impulses do not cause the drug to enter biological cells.

With the Applicant's currently claimed invention, however, both the "coating having at least one static layer of releasable molecules" and the "applied electric field" must be present in tandem. The "releasable molecules" cannot be delivered into the biological cells independently of the "applied electric field", as with Hoffmann et al (5,902,329).

Moreover, with Hoffmann et al (5,902,329), the insertion of the catheter and electrodes into a blood vessel is not "penetration into tissues" as provided with the electrode of the Applicant's currently claimed invention. The Hoffmann et al (5,902,329) electrodes do not penetrate into the walls of the blood vessel. Therefore, also Hoffmann et al (5,902,329) does not provide the delivery of "releasable molecules to be delivered into biological cells in the penetrated tissues by an applied electric field" [emphasis added] as provided by the Applicant's currently claimed invention.

Therefore, Hoffmann et al (5,902,329), either alone or in combination with any other reference, should not be used in the rejection of the Applicant's currently claimed invention.

Zewert et al (5,749,847)

Zewert et al (5,749,847) disclose non-penetrating electrodes and a process of electroporation that is used to move a nucleotide component on the non-penetrating electrodes past the dead cells of the stratum corneum into an organism. Moreover, with Zewert et al (5,749,847), once the nucleotide component is in the organism below the stratum corneum, the nucleotide component resides in the interstitial spaces between the cells of the organism. Therefore, the non-penetrating electrodes of Zewert et al (5,749,847) do not cause the nucleotide component to be delivered into the cells of the organism.

As stated above, with Zewert et al (5,749,847), the electrodes that are employed for the electroporation do not penetrate into tissues. Instead, the Zewert et al (5,749,847) electrodes simply sit on the surface of the stratum corneum. The Zewert et al (5,749,847) electrodes are not present in the tissues that underlie the stratum corneum. This is in sharp contrast with the Applicant's currently claimed invention wherein the electrode is <u>for penetration into tissues</u>, and releasable molecules from a static layer coating on the electrode are <u>delivered into biological cells in the penetrated tissues</u>.

Clearly neither Gross et al (5,356,632) nor Zewert et al (5,749,847) disclose penetration of tissues, as with the Applicant's currently claimed invention, and both Gross et al (5,356,632) and Zewert et al (5,749,847), either alone or in

combination, should not be used to reject the Applicant's currently claimed invention.

Widera et al (Journal of Immunology)

Widera et al (Journal of Immunology, 2000, 164:4635-4640) use a three-step process for delivering a DNA vaccine into biological cells using three types of apparatuses. The first step is the use of a hypodermic needle (the first apparatus) to inject the DNA vaccine into tissues. The second step is to penetrate an electrode array (the second apparatus) into the tissues. The third step is to use an electric field generating apparatus (the third apparatus) to apply electric fields to the electrode array. The three-step process using the three types of apparatuses is virtually the same as the three-step process using three types of apparatuses that is set forth U. S. Patent No. 5,273,525 of Hofmann which is disclosed on page 3 of the Applicant's specification.

However, these teachings of Widera et al (Journal of Immunology) and U. S. Patent No. 5,273,525 of Hofmann are in sharp contrast with the Applicant's currently claimed invention wherein only two steps are used with only two apparatuses. More specifically, the first apparatus is the Applicant's coated electrode; and the second apparatus is an apparatus for generating electric fields that are applied to the electrode. With the Applicant's currently claimed invention, the first step is to penetrate tissues with the coated electrode; and the second

step is to apply electric field onto the coated electrode in the penetrated tissues.

Therefore, Widera et al (Journal of Immunology), either alone or in combination with any other reference, should not be used in the rejection of the Applicant's currently claimed invention.

Lerner (WO 97/18855)

Lerner (WO 97/18855) discloses electrodes (see page 26, lines 22-38) that are designed to have smooth, non-penetrating surfaces to deliver material into tissues or organs by iontophoresis. Iontophoresis does not accomplish the critical next step of getting material into cells using electroporation. There are many examples of iontophoresis being used for delivery of drugs into tissue. However, iontophoresis is not electroporation.

The tissues treated by Lerner (WO 97/18855) are not penetrated by the Lerner electrodes. Instead, the Lerner electrodes are placed on surfaces (such as skin) or are inserted (not penetrated) into blood vessels and body cavities where tissue treatment takes place. In addition, Lerner teaches that normal organ activity takes place while the Lerner electrode is inserted. For example, on page 29, lines 25-32, there is a teaching that a nostril-inserted electrode has a hole in it so that normal breathing can be conducted.

Therefore, Lerner (WO 97/18855), either alone or in combination with any other reference, should not be used in the rejection of the Applicant's currently claimed invention.

In review, neither Gross et al (5,356,632) nor Wang (6,514,762) nor Hofmann (6,009,347) nor Meserol (6,090,617) nor Vadgama et al (WO 92/05434) nor Hoffmann et al (5,902,329) nor Zewert et al (5,749,847) nor Widera et al (Journal of Immunology) nor Lerner (WO 97/18855), either alone or in combination any other reference, either disclose or suggest the Applicant's currently claimed invention as represented by:

> "Claim 25. (Currently amended) An electrode for penetration into tissues which includes a coating having at least one static layer of releasable molecules to be delivered into biological cells in the penetrated tissues by an applied electric field." [emphasis added]

Therefore, neither Gross et al (5,356,632) nor Wang (6,514,762) nor Hofmann (6,009,347) nor Meserol (6,090,617) nor Vadgama et al (WO 92/05434) nor Hoffmann et al (5,902,329) nor Zewert et al (5,749,847) nor Widera et al (Journal of Immunology) nor Lerner (WO 97/18855), either alone or in combination any other reference, should be used in the rejection of the Applicant's currently claimed invention.

As a final point, the Examiner has asserted that when "product" claims are not allowed, then corresponding "product by process" claims should also not be allowed. In principle, the

Applicant's representative does not argue with this assertion. However, in the present case, as urged by the Applicant's representative above, the "product" claims of the Applicant's currently claimed invention should be allowed. Therefore, any corresponding "product by process" claims should also be allowed.

No additional fees are due with respect to this AMENDMENT.

However, a PETITION FOR REQUEST FOR EXTENSION OF TIME, for a ONE-month extension of time, is filed currently herewith, including a payment in the amount of $60.00.

Also, it is recalled that a DECLARATION UNDER RULE 1.131 is being filed concurrently herewith.

On the basis of the above amendment and remarks, reexamination and reconsideration of the application is requested.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

In view of the foregoing, it is respectfully requested that claims 25-26, 28-31, 37, 38, 40, 42, 44, 47-50, and 52 be deemed allowable. If the Examiner believes otherwise, or has any comments or questions, or has any suggestions for putting the case in condition for final allowance, the Examiner is respectfully urged to contact the undersigned attorney of record

at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

Respectfully submitted,

August 18, 2005
Date

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